

JOE WARDY
MAYOR



CITY COUNCIL

SUSAN AUSTIN
DISTRICT NO. 1

ROBERT A. CUSHING, JR.
DISTRICT NO. 2

JOSE ALEXANDRO LOZANO
DISTRICT NO. 3

JOHN F. COOK
DISTRICT NO. 4

DANIEL S. POWER
DISTRICT NO. 5

PAUL J. ESCOBAR
DISTRICT NO. 6

VIVIAN ROJAS
DISTRICT NO. 7

ANTHONY W. COBOS
DISTRICT NO. 8

SPECIAL CITY COUNCIL MEETING
COUNCIL CHAMBERS
MAY 3, 2004
1:30 P.M.

The City Council met at the above place and date at approximately 1:37 p.m. Mayor Joe Wardy present and presiding and the following Council Members answered roll call: Susan Austin, Robert A. Cushing, Jr., Jose Alexandro Lozano, and John F. Cook. Late arrivals: Daniel S. Power at 1:56 p.m., Paul J. Escobar at 1:42 p.m., Vivian Rojas at 1:41 p.m., and Anthony W. Cobos at 1:38 p.m.

AGENDA

1. Discussion and action on Calendar for City Manager Hiring Process
2. Discussion and action on role of Community Advisory Panel in the City Manager Hiring Process
3. Discussion and action on City Manager Position Profile and Ad Copy
4. Discussion and action on City Manager Job Description
5. The City Council of the City of El Paso will retire into **EXECUTIVE SESSION** pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Chapter 551, Subchapter D, to discuss and take action on any of the following: (The items listed below are matters of the sort routinely discussed in Executive Session, but the City Council of the City of El Paso may move to Executive Session any of the items on this agenda, consistent with the terms of the Open Meetings Act.)

Section 551.071 CONSULTATION WITH ATTORNEY

Section 551.072 DELIBERATION REGARDING REAL PROPERTY

Section 551.073 DELIBERATION REGARDING PROSPECTIVE GIFTS

Section 551.074 PERSONNEL MATTERS

Section 551.076 DELIBERATION REGARDING SECURITY DEVICES

Section 551.087 DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS

1. Discussion and action on Calendar for City Manager Hiring Process

Mr. Adrian Ocegueda, Executive Assistant to the Mayor, presented draft timeline/calendar to the Council Members and explained.

Representative Cook requested the selection of finalists be held at the Wednesday, June 30, Special City Council meeting.

Representative Austin questioned Mr. Ocegueda regarding the discussions he has had with The Mercer Group since the last Special Council meeting and whether or not the 30-day job posting was sufficient time for The Mercer Group to delve beyond their immediate circle. She asked that the Council consider broadening the advertised time to 45 days. She also asked that The Mercer Group be allowed to determine the 5 to 7 finalists.

Mr. Ocegueda responded that he had had several discussions with The Mercer Group regarding timelines, brochures, etc. and added that the job posting would be displayed on the Internet and within trade and government publications. He explained that The Mercer Group felt 60 days was the ideal time frame to allow for a greater pool of applicants.

Mayor Joe Wardy commented that it was his experience, in the private sector, that search firms provide five to seven names of candidates and added that it would be in the best interests of the City to allow The Mercer Group to do the same for the City Manager.

Representative Cushing requested that, at the time the five to seven candidates had been selected, The Mercer Group provide the Council with copies of all applications received.

Representative Cobos concurred with Representative Austin's suggestion that the job posting be longer than 30 days and with Representative Cushing's recommendation that The Mercer Group provide the Council with copies of all the proposed applications/resumes.

Mr. Ocegueda explained that the applications submitted to the City would be subject to Open Record requests.

Mayor Wardy stated that applications were part of the public process, and the applicants should understand that. He explained that The Mercer Group was available to answer any question the Council may have on applications that were not approved for the short list. He added that Council may, however, expand the short list beyond seven candidates provided by Mercer.

Motion 1:

Representative Cushing moved to amend the calendar to allow: 1. 45 days advertising the job on the street; 2. The Mercer Group would come back to the Council with 5-7 candidates; 3. The Mercer Group would provide to the Council all resumes submitted. Representative Cobos seconded.

Mayor Wardy recommended that The Mercer Group would provide the Council with "copies of all qualified resumes", since applications may be received that do not meet the minimum qualifications.

Representative Austin clarified that The Mercer Group would provide resumes of candidates meeting the minimum qualification.

Ms. Richarda Duffy Momsen, City Clerk, reiterated the motion as follows: To approve the Calendar for the City manager hiring process with a 45 day advertisement period allowing The Mercer Group to determine the short list to 5 to 7 candidates with Council's ability to expand that list and requiring that The Mercer Group provide copies of all qualified applications to City Council.

Mr. Bill Chapman, Deputy Chief Administrative Officer for Financial and Administrative Services, questioned whether the Council would prefer to visit the proposed candidates,, in their current location/position.

Representative Cobos seconded Representative Cushing's motion.

AYES: Representatives Austin, Cushing, Lozano, Cook, Power, Escobar, Rojas, Cobos

Representative Austin questioned Mr. Ocegueda as to when the closing date of The Mercer Group job posting would be.

Mr. Ocegueda responded depending upon the Council's decision today, the job posting would be made as soon as tomorrow.

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2. Discussion and action on role of Community Advisory Panel in the City Manager Hiring Process

Mr. Ocegueda responded that the Community Advisory Panel was aware of the Council's decisions made at last week's Special Council meeting and their desire for a parallel process.

Motion 1:

Representative Austin moved that the role of the Community Advisory Panel in the City Manager Hiring Process was to interview the same candidates, same criteria as the Council, and to make recommendations. Representative Power seconded.

AYES: Representatives Austin, Cushing, Lozano, Cook, Power, Escobar, Rojas, and Cobos.

Representative Austin suggested that the Community Advisory Panel not rank the candidates but provide the Council with their recommendations. Mayor Wardy concurred.

Motion 2:

Representative Austin moved that the Community Advisory Panel provide to the Council their top three choices, not ranked. Representative Cushing seconded.

AYES: Representatives Austin, Cushing, Lozano, Cook, Power, Rojas, and Cobos

NOT PRESENT FOR THE VOTE: Representative Escobar

Mr. Chapman pointed out that the three candidates the Panel selected may be were different than the candidates Council selected.

Mayor Wardy explained that the Panel's recommendations were non-binding on the Council.

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3. Discussion and action on City Manager Position Profile and Ad Copy

Motion 1:

Representative Cushing moved to put in the ad the following statement "increasingly responsible executive level management experience." Representative Austin seconded.

AYES: Representatives Austin, Cushing, Lozano, Cook, Rojas, and Cobos

NOT PRESENT FOR THE VOTE: Representatives Power and Escobar

Representative Austin questioned Representative Cushing regarding his desire to state in the ad a minimum number of years.

Representative Cushing responded no and added the following revision "increasingly responsible executive level management experience **with at least three years as a head of a large department or division, comparably sized, municipal or private sector organization or as a City Manager, CEO or COO.**"

Representative Cobos stated that El Paso was the 23rd largest City and requested the definition of "comparably sized".

Representative Austin requested the language read "comparably sized organization".

Mr. Rick Armendariz, Intergovernmental Affairs Officer, included in the "comparably sized" definition, the following: 1. budget; 2. number of employees; or 3. population of the City.

Ms. Lisa A. Elizondo, City Attorney, suggested the minimum qualifications for the position be included in the ad copy, for consistency.

Representative Cobos requested that the job description be placed in the ad and link the ad to The Mercer Group's website.

Motion 2:

Representative Cushing moved to include the following language in the ad copy: "with at least three years as a head of a large department or division, within a comparably sized organization or as a City Manager, CEO or COO. Representative Austin seconded. Representative Cushing withdrew his motion.

Ms. Lisa A. Elizondo, City Attorney, requested that the Council come to an agreement regarding the language to be included in the job description, so that the job description language would be included in the ad copy.

Representative Cushing reiterated the job description language to be: "increasingly responsible management experience in a comparably sized municipal organization or public sector organization, with three to seven years experience as a City Manager in a comparably sized municipality or management of a major department or subdivision of a comparably sized municipality or management in a comparable private sector organization".

Representative Austin moved to direct City staff to make the ad copy consistent with the qualifications section of the City Manager Job Description.

Mr. Bill Chapman, Deputy Chief Administrative Officer for Financial and Administrative Services, explained that the Human Resources Department requested the following language: "increasingly responsible executive management experience as often defined in the Job Description", followed by the placement of the job description on-line. He answered questions from, and responded to comments made by the Council Members.

Mr. Ocegueda responded to the Council Members questions regarding the budget, population, number of employees language within the ad copy.

Ms. Momsen questioned whether the Council wanted to revise the following phrase to read: "increasingly responsible executive level management experience as outlined in the job description".

Motion 3:

Representative Cushing moved to reconsider the discussion and action on City Manager Position Profile and Ad Copy. Representative Lozano seconded. All voted in favor of the reconsideration.

Ms. Momsen requested that the Council reconsider the revision made earlier in the meeting to read: "increasingly responsible executive level management experience as outlined in the job description".

Motion 4:

Representative Austin moved to approve the motion as read into the record by Ms. Momsen. Representative Cushing seconded.

AYES: Representatives Austin, Cushing, Lozano, Cook, Power, Rojas, and Cobos

NOT PRESENT FOR THE VOTE: Representative Escobar

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4. Discussion and action on City Manager Job Description

Representative Austin questioned how the job description and contract would interplay.

Mr. Ocegueda requested that the Council determine what the minimum education and experience qualifications should be, followed by determining what the preferred minimum education and experience qualifications were. He explained that the minimum education and experience dictate the job description, ad copy and brochure utilized to market the position.

Representative Lozano expressed his concern regarding local candidates being excluded due to lack of City Manager experience.

Representative Austin questioned whether the Council desired to set a minimum number of increasingly responsible management experience or leave that time period open. She preferred that the minimum number of managerial years of experience be ten years.

Representative Cushing stated that he would be comfortable with seven years of increasingly responsible managerial experience and requested that the budgeting and human resource management language be deleted from the ad.

Representatives Austin and Cobos expressed their desire to include budgeting and human resource experience in the job description.

Representative Cushing suggested utilizing the following language "increasingly responsible executive level management experience".

Mr. Rick Armendariz, Intergovernmental Affairs Officer, informed the Council that in the expanded community brochure specific categories of experience could be included, but not necessary included in the ad copy.

Representative Lozano questioned whether or not strategic and land use planning and promotion experience would be included.

Representative Austin reiterated the language to state "increasingly responsible executive level management experience".

Representative Rojas requested that emphasis on budgeting be included.

Representative Austin stated that, as per the City Charter, emphasis on budgeting was the most important function of the position.

Representative Lozano requested that candidates possess the ability to work with people, be customer oriented, business friendly and the right heart to answer everyone's concerns.

Representative Cobos expressed that he would be comfortable "scratching" the human resource language; however, the individual applying for the position should have budgeting experience.

Representative Austin suggested "increasingly responsible executive level management and budgeting experience".

Representative Cobos concurred with Representative Austin's language suggestion.

Representative Cook expressed that narrowly defining the job description was not necessary; The Mercer Group would provide the City with qualified candidates.

Representative Cobos requested Council Members input regarding the Job Description categories of "Job Overview", "Examples of Duties", etc.

Mr. Ocegueda read the "Examples of Duties" within the City of El Paso – City Manager –Job Description into the record.

Representative Austin requested the following revisions in the Examples of Duties: 1. "perform all duties as may exist in the Municipal Code, **"City Charter"** and/or by City Council directive;" 2. remove the word "analyzation" and replace with "analysis" of policies.

Motion 1:

Representative Cobos moved to approve the Examples of Duties as presented with the revision substituting the word "analysis" for "analyzation" and adding "City Charter" after the word Municipal Code in the penultimate line in that section. Representative Cushing seconded.

AYES: Representatives Austin, Cushing, Lozano, Cook, Power, Rojas, and Cobos

Representative Power questioned whether the Examples of Duties language would be included in the ad copy; and suggested the language "large municipality" under "Education" and "Experience" headings within the Job Description language. Representatives Austin and Cobos concurred.

Mr. Ocegueda responded that minimum experience and education must be reflected in the ad.

Representative Austin requested that "Candidate" replace "Candidates" throughout the Qualifications section of the Job Description and remove the language "and definable" from the first paragraph.

Motion 2:

Representative Cushing moved to change the word "Candidates" to "Candidate" and remove the language "and definable" from the first paragraph of the "Qualifications". Representative Lozano seconded.

Ms. Momsen read the motion into the record as follows: "To revise the Qualifications to correct the noun "Candidates" to singular throughout and to delete the words "and definable" in the second line.

AYES: Representatives Austin, Cushing, Lozano, Cook, Power, Rojas, and Cobos

Motion 3:

Representative Power moved that the words "large municipal organization" be substituted for "comparably sized municipal organization". Representative Cushing clarified "comparable sized municipality" to "large municipality". Representative Cushing seconded.

Ms. Momsen read the motion into the record as follows: Under the heading "Experience" replace the phrase "comparably sized" and the word "comparable", where those words and phrases appear, with the word "large".

AYES: Representatives Austin, Cushing, Lozano, Cook, Power, Rojas, and Cobos

Motion 4:

Representative Austin requested the removal of "three to seven years experience" under the "Experience" heading to be replaced with "at least three years".

Representative Cook suggested the language "at least five years experience".

Representative Austin moved to accept Representative Cook's suggestion. Representative Rojas seconded.

Ms. Momsen read the motion into the record as follows: Under the paragraph for "Experience" to replace the phrase "three to seven years" with the phrase "at least five years".

AYES: Representatives Austin, Cushing, Lozano, Cook, Power, Rojas, and Cobos

Mr. Ocegueda questioned whether or not the language "increasingly responsible executive level management experience . ." be included in the job description language.

Representative Cushing suggested including the "Education" and "Experience" language into the ad copy, following the word "mindset", to ensure consistency.

Representative Austin commented on the paragraph regarding the bilingual qualifications.

Representative Power objected to the language pertaining to the bilingual qualifications on the basis that it would limit the candidate pool.

Mayor Wardy agreed that the candidate pool would be restricted by this language.

Representative Cobos commented that the language would not restrict an individual from applying and added that the ability to be bilingual would be an asset. Representative Rojas agreed.

Representatives Rojas and Lozano recommended the language be included in the Job Description.

Mr. Ocegueda explained that language incorporated in the draft revised brochure would read "Knowledge and Skills, bilingual (Spanish desired)" and concurred with Representative Power's comment regarding limiting the candidate pool. He explained that the ad copy read "Bilingual abilities English/Spanish are a plus."

Motion 5:

Representative Cobos moved to change the word "preferred" to "desirable". Representative Lozano seconded.

Ms. Momsen read the motion into the record as follows: "It is desirable that the candidate be bi-lingual in English and in Spanish".

AYES: Representatives Austin, Cushing, Lozano, Rojas, and Cobos

NAYS: Representatives Cook and Power

Motion 6:

Representative Cushing moved to approve the Job Description as revised. Representative Lozano.

AYES: Representative Austin, Cushing, Lozano, Cook, Power, Rojas, and Cobos

Representative Cobos requested that the language within the job description pertaining to the bilingual requirements be as follows: "it is desirable, but not required"

Motion 7:

Representative Cushing moved to reconsider the discussion and action on City Manager Job Description. Representative Cobos seconded. All voted in favor.

Representative Escobar not present for the vote.

Motion 8:

Representative Cobos moved to include the following language, after the word desired: "it is desirable, but not required that the candidate". Representative Power seconded.

Ms. Momsen read the motion into the record as follows: "it is desirable, **but not required**, that the candidate be bilingual in English and in Spanish".

AYES: Representatives Austin, Cushing, Lozano, Cook, Power, Rojas, and Cobos

NOT PRESENT FOR THE VOTE: Representative Escobar

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Mr. Ocegueda requested the Council's input regarding the brochure and questioned whether or not to schedule a Special City Council meeting next week. He noted that the revisions made by the Council today regarding the job description would be included in the brochure.

Representative Cushing agreed that it would be prudent to schedule another Special City Council meeting, Monday in the morning. He requested that Mr. Ocegueda forward the revised language to all Council Members.

Representative Austin commented on the calendared time frame and requested additional time to provide for the possibility of "follow up interviews". She requested that The Mercer Group attend a Special City Council meeting soon.

Mr. Ocegueda noted that The Mercer Group would be placed on notice that the Council Members would like to meet with them either at the next Special City Council meeting or within the next two weeks, or perhaps a scheduled conference call could be arranged.

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Motion made by Representative Cushing, seconded by Representative Cook and unanimously carried to adjourn this meeting at 3:17 p.m. NOT PRESENT FOR THE VOTE: Representative Escobar

APPROVED AS TO CONTENT:



Richarda Duffy Momsen, City Clerk